

**JUDICIAL COUNCIL
OF THE NINTH CIRCUIT**

FILED

AUG 12 2015

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

**IN RE COMPLAINT OF
JUDICIAL MISCONDUCT**

No. 14-90165

ORDER

THOMAS, Chief Judge:

Complainant alleges that a magistrate judge was biased against him and favored the respondent in his habeas case. However, adverse rulings alone are not proof of bias, and complainant provides no other objectively verifiable evidence to support such allegations. See 28 U.S.C. § 352(b)(1)(A)(iii); In re Complaint of Judicial Misconduct, 583 F.3d 598 (9th Cir. Jud. Council 2009); Judicial-Conduct Rule 11(c)(1)(D).

Complainant further alleges that the judge interfered with the filing of documents and intentionally prevented complainant from receiving notice of court orders. Judges are not responsible for mailing orders and do not have supervisory responsibility over the clerk's office personnel in charge of mailing. Regardless, the record reflects that the court served complainant with copies of all orders via U.S. mail service. Further, the judge accepted complainant's filings, nunc pro tunc, even when deficient under local rules. The district court adopted the magistrate judge's reports and recommendations in full. This allegation must be

dismissed because complainant has not provided sufficient evidence to raise an inference that misconduct has occurred. See 28 U.S.C. § 352(b)(1)(A)(iii).

DISMISSED.